IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.388 OF 1978

Wulfran Miranda & Anr. ...Plaintiffs

Versus

Sundersingh Sahisingh Bhavnani & Ors. ...Defendants

Shri Denzil D'Mello for the Plaintiffs.

CORAM : ABHAY S.OKA, J.
DATED : SEPTEMBER 27th, 2007.

P.C.:

1. The learned counsel appearing for the Plaintiffs has tendered consent terms. He states that the consent terms are signed by the 1st Plaintiff for himself and as constituted attorney of the 2nd Plaintiff. He states that the 1st Defendant has signed the consent terms. He states that 1st Plaintiff is personally present in the Court. He personally identifies the 1st Defendant. The 1st Defendant states that the consent terms are signed by him and the contents thereof are true and correct. The consent terms are taken on record and marked "X" for identification. In the consent terms it is stated that the Plaintiffs want to drop the 2nd and 3rd Defendants as parties to the suit.

2. Hence, I pass the following order:

(i) The suit stands dismissed as against the 2nd and

3rd Defendants as not pressed.

(ii) There will be a decree between the Plaintiffs and the 1st Defendant in terms of the consent terms.

(iii) The Plaintiffs will be entitled to refund of court fees as per the rules.

(iv) The 1st Defendant will be entitled to refund of court fees on the counter-claim as per the rules.

(v) The decree in the suit and counter claim shall be drawn in terms of the consent terms.

(vi) Certified copy is expedited.

JUDGE